

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Civil Action No. 3:12-cv-487-MOC-DCK

DAVID HOLMES, HERTA S.)
THEBERGE, MARGUERITE K.)
POTTER, and the MARGUERITE K.)
POTTER REVOCABLE TRUST,)
individually and on behalf of all others)
similarly situated,)

Plaintiffs,)

v.)

BANK OF AMERICA, N.A., in its own)
capacity and as successor by merger to)
BAC HOME LOANS SERVICING, L.P.,)
SEATTLE SPECIALTY INSURANCE)
SERVICES, INC., in its own capacity)
and as successor in interest to)
COUNTRYWIDE INSURANCE)
SERVICES, INC., ILLINOIS UNION)
INSURANCE COMPANY, and)
CERTAIN UNDERWRITERS AT)
LLOYD'S LONDON, including all)
underwriters who underwrote force-placed)
wind insurance policies for Bank of)
America, as the insured during the)
applicable limitations period and)
LLOYD'S, UNDERWRITERS, AT)
LONDON)

Defendants.)

I, Mark Hicks, hereby declare:

1. I am a Claims Controller with QBE Insurance Europe Limited.

**AMENDED / SUPPLEMENTAL
DECLARATION OF
MARK HICKS**

2. I make this declaration based upon my personal knowledge and review of the relevant documents.

3. Certain Underwriters at Lloyd's London provided lender-placed wind insurance coverage to the insured Bank of America, N.A. under Certificate/Policy No. 08983-001, which had an effective date of 1 December 2008 and an expiration date of 1 January 2011 (the "Policy"). The Policy effective and expiration dates are with respect to insurance attaching on or after 1 December 2008 and before 1 January 2010, subject to a maximum term of 12 months per individual Described Location.

4. If an Evidence of Insurance coverage by Certain Underwriters at Lloyd's London were issued to Bank of America for lender-placed wind insurance coverage of a residential property in Florida for the period April 9, 2009 through April 9, 2010, it would have been issued pursuant to the Policy, which was the only Lloyd's policy issued to Bank of America covering such risks for that period.

5. In my initial Declaration, which was dated 31 December 2012, my reference to the policy number and policy period inadvertently actually referred to the authority upon which the Policy to Bank of America, N.A. was issued, which authority is referenced by Authority Reference Number on the Policy's Declarations.

6. The only Syndicates at Lloyd's subscribing to the Policy, *i.e.*, the Syndicates at Lloyd's whose members assumed the risk of insurance loss under the Policy, were Syndicates 2000, 1084, 4444, 2791, 318, 2003, 4020, 1225, 1200, 2488 and 958.

I declare under penalty of perjury that the foregoing is true and correct.



MARK HICKS

Executed on this 16th day of January, 2013, in London, England.